



**Jammu and Kashmir State information Commission**  
(Constituted under The Right to Information Act, 2009)  
**Wazarat Road, Near DC office Jammu, 0191-2520947, 2520937**  
**Old Assembly Complex, Srinagar. 0194-2484269, 2484262**  
[www.jksic.nic.in](http://www.jksic.nic.in)  
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File No. SIC-K/SA/85/2014  
Decision No. SIC-K/SA/85/2014/**32**

Title: Shri Mohammad Maqbool Malik **v/s** CEO Kupwara  
(Appellant) ZEO Kupwara  
(Respondents)

Present:

1. Sh. Ghulam Hassan Mir, ZEO Kupwara.
2. Sh. Shakeel Amin, Rep. of CEO Kupwara.

Appellant - Not Present

**Srinagar**  
**18.03.2014**

Brief background of this complaint is that an RTI application was filed by Shri Mohammad Maqbool Malik r/o Gushi Kupwara before Chief Education Officer, Kupwara seeking following information: -

1. Bio/data/particulars of all staff members of UPS Bhagat Mohalla w.e.f. 2005 to till date.
2. Information regarding the grounds on which the school has been upgraded".

This RTI application has been disposed of by the CEO Kupwara under letter dated 21.10.2013 by providing information on 2 points of RTI application.

The information seeker filed a complaint in the Commission on 07.12.2013 seeking action against officers for delay in providing information under the RTI Act.

In counter reply to the notice of the Commission, CEO Kupwara submitted that the complainant filed RTI application dated 27.08.2013 which was forwarded to ZEO Kupwara vide letter 12.09.2013. The information submitted by the ZEO vide letter dated 15.10.2013 was sent to the information seeker on 21.10.2013 through ordinary post. CEO has further submitted that the complainant approached Deputy Commission Kupwara (FAA), who vide letter dated 05.11.2013 directed to provide to the information to the information seeker and accordingly copy of information already sent was sent through Registered Post to the information seeker on 12.11.2013. As regards to the allegation of engagement of Cook or VLC, CEO has submitted that no information regarding the same was sought by the information seeker. .

Upon perusal of the information provided viz-a-viz RTI application, the Commission is satisfied that relevant information to both the points of the RTI application have been provided by the PIO. ZEO Kupwara during hearing clarified that Primary School was opened at Bhagati Mohalla in the year 2005 and subsequently the School was upgraded to UPS in the eyar 2010. ZEO produced copy of General Pay Register

starting from 23.05.2005 as evidence of existence of School at Bhagati Mohalla Gushee.

In view of above, it is concluded that information as asked for has been provided. In so far as delay is concerned, the Commission has noted that fee accompanied with the RTI application is not in accordance with the mode of payment as prescribed under J&K RTI Rules 2012. Therefore PIO is not liable for action as the basic application is deficient.

The complaint is accordingly disposed of.

**Sd/-**  
**(Nazir Ahmad)**  
**State Information Commission**

Copy to the: -

1. CEO Kupwara.
2. ZEO Kupwara.
3. Shri Mohammad Maqbool Malik s/o Abdul Gaffar Malik r/o Gushi Kupwara.

(M.S. Bhat)  
Deputy Registrar,  
J&K State Information Commission